### IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS WICHITA FALLS DIVISION

| SUMMIT 6 LLC,                               | § 8                                       |
|---|---|
| Plaintiff,                                  | <b>§ § § c</b>                            |
| v.  | <b>§ S CIVIL ACTION NO. 7:14-cv-00014</b> |
| HTC CORPORATION,                            | <b>§</b><br><b>§</b>                      |
| HTC AMERICA, INC.,<br>LG ELECTRONICS, INC., | §<br>§                                    |
| LG ELECTRONICS USA, INC.,                   | 8   |
| LG ELECTRONICS MOBILECOMM                   |   |
| USA, INC.,                                  | § JURY TRIAL DEMANDED<br>§                |
| MOTOROLA MOBILITY LLC,                      | \ \{\}                                    |
| APPLE INC., and                             | <b>§</b>                                  |
| TWITTER INC.,                               | <b>§</b>                                  |
| Defendants.                                 | §<br>§                                    |
| SUMMIT 6 LLC,                               | §   |
| Plaintiff,                                  | <b>§</b>                                  |
| v.  | \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \     |
| APPLE INC.                                  | <pre> § § § JURY TRIAL DEMANDED</pre>     |
| Defendant.                                  | § SORT TRIAL DEMANDED                     |

# JOINT STIPULATION AND [PROPOSED] ORDER TO DISMISS OF PLAINTIFF SUMMIT 6 LLC AND DEFENDANT APPLE INC.

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Summit 6 LLC and Defendant Apple Inc. hereby stipulate and agree as follows:

- 1. All of Summit 6's claims against Apple in this action are dismissed with prejudice.
- 2. All of Apple's claims or counterclaims against Summit 6 in this action are dismissed without prejudice.

3. The parties shall bear their own costs, attorneys' fees, and expenses incurred in connection with this litigation.

A proposed order is being filed herewith.

Dated: June 8, 2015

#### /s/ John R. Emerson

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#### Respectfully submitted,

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# ATTORNEYS FOR PLAINTIFF SUMMIT 6 LLC

| PURSUANT TO STIPULATION, IT IS SO ORDERED. |        |   |
|--|--------|---|
| Date:                                      | , 2015 |   |
|  |        | Hon. Reed O'Connor United Stated District Court Judge |

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on June 8, 2015, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system. Any other counsel of record will be served in accordance with the Federal Rules of Civil Procedure.

/s/ Phillip Aurentz
Phillip Aurentz